
 <p style="text-align: center;"><b>WISCONSIN</b> <b>DEPARTMENT OF CORRECTIONS</b> <b>Division of Juvenile Corrections</b></p> <p style="text-align: center;"><b>Policy and Procedure</b></p>	EFFECTIVE DATE 03/16/2021	PAGE NUMBER 1 of 2
	DJC POLICY # 100.04.07	<input type="checkbox"/> New <input checked="" type="checkbox"/> Revision Original Date: 2/6/2006
	ORIGINATED BY Ron E. Hermes, Administrator X  Date Signed: 03/16/2021	
DISSEMINATION  <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted from Printing <input type="checkbox"/> Facilities <input type="checkbox"/> Field Offices <input type="checkbox"/> Health Services	<input type="checkbox"/> Guidance Document	<input type="checkbox"/> Additional Competency Required
REPLACES POLICY                      300.04.02, CLS/LHS P&P 7.02		
<b>SUBJECT: Youth Complaints and Appeals</b>		

**Purpose**

The purpose of this policy is to assure youth complaints and appeals are investigated thoroughly, decided fairly and consistently.

**Policy**

Youth shall be afforded the opportunity to raise questions about policies, procedures, decisions and actions that directly affect them.

**References**

- Wisconsin Administrative Code Chapter 373 Youth Conduct in Type 1 Secured Correctional Facilities
- Wisconsin Administrative Code Chapter 380 – Complaint Procedure for Youth in Type 1 Secured Correctional Facilities
- Wisconsin Administrative Code Chapter 393.20 – Youth Complaint Procedure
- Wisconsin Administrative Code Chapter 396.21 – Youth Complaint Procedure for youth in a type 2 status
- Wisconsin Administrative Code Chapter 375.10 – Observation Status in Type 1 Secured Correctional Facilities-Appeal
- DJC Policy 300.07.07 – Managing Allegations of Youth on Youth Sexual Misconduct

**Definitions, Acronyms and Forms**

Appeal – The process by which a youth may file an appeal regarding a summary disposition including room confinement, exclusion from room, loss of specific privilege or loss of participation in a special event, major conduct rule violation disposition imposed by a hearing officer, denial of incoming or outgoing mail, Administrative Confinement Review Committee decisions and reviews, observation status placements, and Appeal of Superintendent’s or Regional Chief’s Decision to Division Administrator.

Complaint – The process by which a youth may file a complaint regarding facility programs, application of rules, division policies, living conditions, procedures used by the Supervisor or designee under

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Administrative Code Chapter 373, suspension of mail privileges, suspension of visiting privileges, and matters related to breach of confidentiality, retaliation, neglect, and physical, psychological, or sexual abuse.

## **Procedure**

- I. General Guidelines
  - A. Each facility and field office shall develop a procedure for youth complaints and the appeal process.
  - B. Whenever possible staff shall attempt to discuss and resolve a complaint with a youth prior to the youth filing a formal complaint.
  - C. All complaints shall be in writing using an official DOC form and should include:
    1. A statement of the nature of the complaint, what happened and who was involved.
    2. A statement explaining how the complaint affected the youth personally.
    3. A statement identifying the staff the youth has discussed the problem with and the outcome of that discussion.
    4. A request for relief, stating what the youth believes would be a satisfactory resolution.
  - D. A third party person including a fellow youth, family, staff, attorney or an outside advocate may assist in completing a complaint or filling out a complaint form on behalf of the youth.
  - E. Any staff with whom a complaint is discussed shall maintain confidentiality, except to the extent that discussion with others is necessary for investigation.
  - F. Each facility and field office shall ensure that a youth who alleges sexual abuse or sexual harassment may submit a complaint confidentially and that complaint will be handled in accordance with DJC Policy 300.07.07.
  - G. All appeals shall be in writing and submitted on DOC appeal forms designated by the facility or field office.
  - H. During the period required for investigation or review of any complaint, all affected parties shall comply with the decision currently under dispute.
  - I. Youth shall not be disciplined or penalized for filing a complaint or appeal.
  - J. A youth may be subject to discipline if it is determined that the youth knowingly made a false allegation or complaint.
  - K. Each facility and field office shall submit an annual report to the Division Administrator concerning the quantity, type and disposition of complaints.

cc: Office of the Secretary  
DJC Leadership Team

<b>Division of Juvenile Corrections Facility/Region Implementation Procedure</b>	
Facility/Region:	
DJC Policy Number: 100.04.07	
Subject: Youth Complaints and Appeals	
New Effective Date: 03/16/2021	Original Effective Date:
Will Implement: <input type="checkbox"/> As Written <input type="checkbox"/> With following procedures for facility implementation	
Superintendent's/Regional Chief's Approval:	

**REFERENCES**

**DEFINITIONS, ACRONYMS, AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
      - c.
    - 3.
  - C.
  
- II.
  
- III.

**RESPONSIBILITY**

- I.     Staff
  
- II.    Youth
  
- III.   Other